

## REMARKS

### I. Status of Claims

Claims 1-10, 17-24, and 29-46 are pending in this application.

Upon entry of the present Amendment, claims 8-10 and 32-34 will be pending and under examination in this application, as claims 1-7, 17-24, 29-31, and 35-46 are presently canceled, and claims 11-16 and 25-28 were previously canceled.

### II. Rejection Under 35 U.S.C. § 102(b)

Claims 1 and 22-24 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Tawara et al. (WO 03/03358). See Office Action, pages 3-4, section 8.

Without acquiescing to this rejection and solely to expedite prosecution, claims 1 and 22-24 are presently canceled. Accordingly, this rejection is moot.

### III. Rejections Under 35 U.S.C. § 103(a)

(a) Claims 1-4, 7, and 22-24 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tawara et al. (*supra*) in view of Mezes et al. (U.S. Pat. No. 5,877,291). See Office Action, pages 5-7, section 12.

Without acquiescing to this rejection and solely to expedite prosecution, claims 1-4, 7, and 22-24 are presently canceled. Accordingly, this rejection is moot.

(b) Claims 1-7 and 22-24 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Isobe et al. (U.S. Pat. No. 5,223,241) in view of Mezes et al. (*supra*) as purportedly evidenced by Morganelli et al. (U.S. Pat. No. 5,077,216). See Office Action, pages 7-9, section 13.

Without acquiescing to this rejection and solely to expedite prosecution, claims 1-7 and 22-24 are presently canceled. Accordingly, this rejection is moot.

Applicant : Naoki Kimura et al.  
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**IV. Objections**

Claims 8-10 and 32-34 are objected to as allegedly being dependent upon a rejected base claim. The Office Action states that these claims "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." See Office Action, page 9, section 14.

Applicants point out that claims 8-10 are independent claims and thus do not depend on any rejected base claim. Claims 32-34 are dependent claims that depend from claims 8-10, respectively. Accordingly, claims 8-10 and 32-34 should have been indicated as allowable in the Action, since no rejections have been directed against these claims and the objection is groundless.

**CONCLUSION**

As all pending claims are in condition for allowance, Applicants respectfully request the timely issuance of a Notice of Allowability.

Applicants petition for a three-month extension of time to respond to the outstanding Office Action. The fee in the amount of \$1,110 for a three month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 14875-0166US1.

Respectfully submitted,

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